

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ADOL T. OWEN-WILLIAMS, JR.,
Petitioner,

v.

ANNE ARUNDEL COUNTY CIRCUIT,
COURT

Respondent.

CIVIL ACTION NO. RDB-14-874

MEMORANDUM OPINION

The above-captioned action was filed with this Court on March 20, 2014. Petitioner seeks to have this Court issue an Order directing the Circuit Court for Anne Arundel County, Maryland reinstate his previously dismissed civil case and set it in for trial on the merits. ECF No. 1. Petitioner has filed a Motion for Leave to Proceed in Forma Pauperis. EC No. 2. Because he appears indigent, the motion shall be granted.

Because Petitioner seeks to compel a certain action by the state and/or its agents, the Court concludes that the present matter is in the nature of a writ of mandamus. See 28 U.S.C. § 1361. Federal district courts have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or one of its agencies to perform a duty owed to a petitioner. However, this federal district court has no mandamus jurisdiction over state employees and cannot compel the Maryland state courts to reinstate his case.¹ *Gurley v. Superior Court of Mecklenburg County*, 411 F.2d 586, 586-87 (4th Cir. 1969). Therefore, Petitioner's request for mandamus relief shall be denied.

¹ Petitioner is, of course, free to note an appeal in the appropriate state court regarding the dismissal of his case.

A separate Order shall be entered reflecting the Opinion set forth herein.

3/27/14
Date

/s/
RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE